

4 FEDERAL RULES OF BANKRUPTCY PROCEDURE

1 **Rule 7004. Process; Service of Summons, Complaint**

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3 (e) SUMMONS: TIME LIMIT FOR SERVICE
4 WITHIN THE UNITED STATES. Service made under
5 Rule 4(e), (g), (h)(1), (i), or (j)(2) F.R.Civ.P. shall be by
6 delivery of the summons and complaint within ~~14~~7 days
7 after the summons is issued. If service is by any authorized
8 form of mail, the summons and complaint shall be
9 deposited in the mail within ~~14~~7 days after the summons is
10 issued. If a summons is not timely delivered or mailed,
11 another summons ~~shall~~will be issued ~~and served for~~
12 service. This subdivision does not apply to service in a
13 foreign country.

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Committee Note

Subdivision (e) is amended to alter the period of time during which service of the summons and complaint must be made. The amendment reduces that period from fourteen days to seven days after issuance of the summons. Because Rule 7012 provides that the defendant's time to answer the complaint is calculated from the date the

summons is issued, a lengthy delay between issuance and service of the summons may unduly shorten the defendant's time to respond. The amendment is therefore intended to encourage prompt service after issuance of a summons. If service of the summons within any seven-day period is impracticable, a court retains the discretion to enlarge that period of time under Rule 9006(b).

Changes Made After Publication and Comment

A new sentence referring to the availability of an enlargement of time under Rule 9006(b) was added to the Committee Note. The only other change made after publication and comment was stylistic.